

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION**

UNITED STATES OF AMERICA,

v.

CASE NO.: CR209-35

MICHAEL DAVID PALMER
AARON JERMAINE JACKSON
ALFREDO GERMAINE MASON

ORDER

After an independent and *de novo* review of the record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, to which Objections have been filed. In his Objections, Defendant Michael David Palmer ("Defendant") asserts that his statement in the police vehicle should be suppressed because it was not properly recorded, and that the spontaneous statement made immediately after Defendant invoked his right to counsel should be suppressed because it is ambiguous.¹

Palmer has failed to cite any authority for the propositions he advances that incriminating statements should be rendered inadmissible because they were not recorded or that they were ambiguous. The fact that Palmer's statements were not recorded did not violate Palmer's rights. Moreover, Palmer can assert at trial that his statements to law enforcement authorities did not incriminate him or that the statements

¹ Defendant also asserts that the Magistrate Judge's Report incorrectly stated that there were multiple semi-automatic rifles used during the bank robbery, when the testimony indicated that only one semi-automatic rifle was used. However, this fact is irrelevant to Defendant's Motion to Suppress.

were ambiguous and that the agent misinterpreted what Palmer meant when he made the statements. Based on the foregoing, Defendant's objections are **OVERRULLED**.

Defendant's Motion to Suppress is **DENIED**.

SO ORDERED, this 11 day of March, 2010.



HONORABLE LISA GOBBEY WOOD
UNITED STATES DISTRICT JUDGE